

**THE HONOURABLE SRI JUSTICE J. CHELAMESWAR
AND
THE HON'BLE SRI JUSTICE D. APPA RAO**

W.P. No. 21244 of 2006

Dated: 13.11.2006

A. Krishna Yadav

Vs

..Petitioner

The Commissioner of Police, Cyberabad
Commissionarate, Lakdikapul,
Hyderabad and 2 others.

..Respondents.

**THE HONOURABLE SRI JUSTICE J. CHELAMESWAR
AND
THE HON'BLE SRI JUSTICE D. APPA RAO**

W.P. No.21244 of 2006

ORDER (per the Hon'ble Sri Justice D. Appa Rao)

The petitioner sought production of his daughter, detenu Kumari Radhika by way of Writ of Habeas Corpus.

2) It is averred in the petition that his daughter Kumari Radhika aged 17 years and studying B.Com., at St. Anns College, Mehdipatnam went to the College on 8.9.2006 at 8.30 A.M. However, she did not return in the evening. When he made enquiries, he learnt that R3 took her away. Though, he gave report to the police, they did not trace her.

3) R1, the Inspector of Police filed counter admitting that a report was given by the petitioner. In fact a case was registered in Cr.No.858 of 2006 under the head 'girl missing'. Since then, they have been making efforts to find her. They requested some more time to produce the detenu.

4) R3 filed counter stating that both of them are in love since last one year. When they decided to marry and informed to her parents, they refused to perform the marriage. Thereupon, they went to Visakhapatnam on 8.9.2006, stayed there for some time, got married in *Ammavari* temple near Kailasagiri, Visakhapatnam. He further alleged that she voluntarily came along with him and that she is more than 18 years of age. Therefore, he stated that there is no illegal detention.

5) Today, i.e. on 10.11.2006, the respondent-police produced the detenu before this Court. The alleged detenu examined in the chambers of one of us in the presence of learned counsel for the petitioner and the learned Assistant Government Pleader on behalf of the learned Advocate General. The detenu did not admit anything about her marriage with R3. However she preferred to stay with her parents.

6) Since the scope of Habeas Corpus is limited, we do not propose to go into the contentions of both the parties. It is up to the petitioner to take appropriate action in an appropriate forum if so advised.

6) The Writ Petition is disposed of with the above said observation. No costs.

JUSTICE J. CHELAMESWAR

JUSTICE D. APPA RAO,

13th November 2006.
BCS